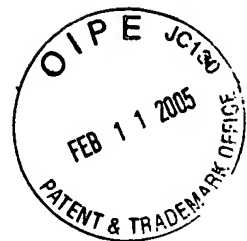


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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Horne et al.

APPLICATION S/N: 10/776,443

ASSIGNEE: Phonex Broadband Corporation

FILING DATE: 02/11/2004

TITLE: A METHOD AND SYSTEM FOR  
PRIORITIZATION AND DYNAMIC CHANNEL  
ALLOCATION WITHIN A COMMUNICATION  
SYSTEM

GROUP ART UNIT: 2661

ATTORNEY DOCKET NO.: 4489 P

EXAMINER: n/a

CONFIRMATION NUMBER: 3696

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Mail Stop: PGPUB  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### RECISSION OF PREVIOUS NONPUBLICATION REQUEST

(35 U.S.C. § 122(B)(2)(b)(II))

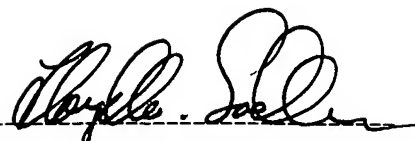
Honorable Commissioner:

A request that the above-identified application not be published under 35 U.S.C. § 122b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. § 122(b0(2)(B)(i).

I hereby RESCIND the previous nonpublication request.

NOTICE: If a notice of foreign or international filing is or will be required by 35 U.S.C. § 122(b0(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing. An application for the above referenced invention has (on February 10, 2005), or shall shortly be filed in the PCT jurisdiction that has an 18-month publication requirement. Subsequent foreign jurisdiction publications are anticipated in one or more foreign jurisdictions.

Respectfully submitted this 10th day of February, 2005.

A handwritten signature in black ink, appearing to read "Lloyd W. Sadler", written over a horizontal line.

Lloyd W. Sadler, Reg. No. 40,154

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Telephone: (801) 532-1234

Facsimile: (801) 536-6111

**Change Of Attorney Or Agent's Address In Application**  
(37 CFR 1.8(a))

Docket No.  
**4489 P**

In Re Application Of: **Horne et al.**

Application No.  
**10/776,443**

Filing Date  
**02/11/2004**

Examiner  
**n/a**

Group Art Unit  
**2661**

Invention: **A Method and System for Prioritization and Dynamic Channel Allocation Within a Communication System**

**COMMISSIONER FOR PATENTS**

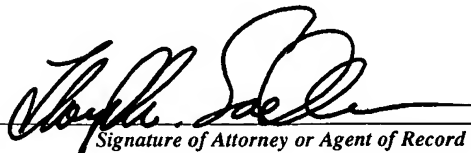
Please send all correspondence for this application to:

**Lloyd W. Sadler**  
**Snell & Wilmer, LLP**  
**15 West South Temple, Suite 1200**  
**Salt Lake City, Utah 84101**

Customer Number:

Please direct all telephone calls to:

**Lloyd W. Sadler - 801-257-1960 (telephone)**  
**Lloyd W. Sadler - 801-257-1800 (facsimile)**

  
*Signature of Attorney or Agent of Record*

Dated: **10 February 2005**

**Lloyd W. Sadler, Esq.**  
**Reg. No. 40,154**  
**Snell & Wilmer, LLP**  
**15 West South Temple, Suite 1200**  
**Salt Lake City, Utah 84101**

*Registration Number & Address of Attorney or Agent of Record*

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on **2-15-2005**

  
*Signature of Person Mailing Correspondence*

**Lloyd W. Sadler**

*Typed or Printed Name of Person Mailing Correspondence*